

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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FRANK MICHOLLE, Individually and on	:	Civil Action No. 1:17-cv-00210-VSB-GWG
Behalf of All Others Similarly Situated,	:	<b>(Consolidated)</b>
	:	
Plaintiff,	:	<u>CLASS ACTION</u>
	:	
vs.	:	
	:	
OPHTHOTECH CORPORATION, DAVID R.	:	
GUYER and SAMIR PATEL,	:	
	:	
Defendants.	:	
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LEAD PLAINTIFF'S NOTICE OF MOTION AND UNOPPOSED MOTION FOR (I)  
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT; (II) CERTIFICATION  
OF THE CLASS; AND (III) APPROVAL OF NOTICE TO THE CLASS

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law, the Stipulation of Settlement with exhibits, and all prior pleadings and proceedings had herein, Lead Plaintiff Sheet Metal Workers' Pension Plan of Southern California, Arizona and Nevada, by and through its attorneys, hereby moves the Court, before the Honorable Vernon S. Broderick, United States District Judge for the Southern District of New York, at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY 10007, for entry of the [Proposed] Order Granting Preliminary Approval Pursuant to Fed. R. Civ. P. 23(e)(1) and Permitting Notice to the Class, agreed upon by all parties: (1) granting preliminary approval of the proposed settlement; (2) certifying the Class for Settlement purposes; (3) approving the form and manner of giving notice

of the proposed settlement to the Class; and (4) setting a hearing date for final approval thereof, and a schedule for various deadlines relevant thereto. Defendants do not oppose the motion.

DATED: September 10, 2021

Respectfully submitted,

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& DOWD LLP  
DAVID A. ROSENFELD  
ERIN W. BOARDMAN  
CHRISTOPHER T. GILROY  
PHILIP T. MERENDA

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s/ ERIN W. BOARDMAN  
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Lead Counsel for Lead Plaintiff

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on September 10, 2021, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses on the attached Electronic Mail Notice List, and I hereby certify that I caused the mailing of the foregoing via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

*s/ Erin W. Boardman*

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## Mailing Information for a Case 1:17-cv-00210-VSB-GWG Micholle v. Ophthotech Corporation et al

### Electronic Mail Notice List

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### Manual Notice List

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- (No manual recipients)